

REMARKS

Applicants have studied the Office Action dated September 26, 2006, and have made amendments to the claims. Claims 1, 13 and 18 have been amended. No new matter has been added. It is submitted that the application, as amended, is in condition for allowance. Reconsideration is respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 1, 3-7, 13, 15-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,859,662 to Cragun (hereinafter "Cragun") in view of U.S. Patent No. 6,233,389 to Barton (hereinafter "Barton"). This rejection is respectfully traversed.

As amended, the inventions defined by independent claims 1 and 13 include a record control part comprising an encoder for converting an analog stream or an uncompressed data stream into a compressed digital stream and outputting the compressed digital stream to the indexing engine, and a storage control part for storing the compressed digital stream in the storage device.

Applicants respectfully assert that Cragun and Barton, either alone or in combination, do not teach or suggest the inventions of claims 1 and 13. As stated by the examiner on page 3 of the present Office Action, Cragun fails to disclose an encoder and a storage control part. Accordingly, the examiner combines Barton's disclosure of an encoder and a storage control part with the teachings of Cragun to derive the invention of claims 1 and 13.

As amended, claims 1 and 13 recite that the encoder and storage control part are included within the record control part. Furthermore, the claims recite that the encoder of the record control part outputs a compressed digital stream to the indexing engine. In the Office Action, the examiner states that the record control part of Cragun comprises a video capture unit 207, a display driver 208 and a storage controller 210 all housed within a computer 104. However, as seen in Fig. 1 of Cragun, the computer 104 does not output any signal into the indexing engine (closed captioning converter 103). Rather, Cragun teaches that the indexing engine outputs signals into the record control part (computer 104), which is the opposite of what is recited in claims 1 and 13.

Therefore, even if the encoder and storage control part of Barton were combined with the teachings of Cragun, the combination would still not teach or suggest the inventions of claims 1 and 13 because the combination does not teach how the encoder of the record control part will output a compressed digital stream into the indexing engine. In view of this, it is respectfully submitted that claims 1 and 13, and the claims respectively dependent from claims 1 and 13, are allowable over the combination of Cragun and Barton.

Claims 8-12 and 20-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cragun in view of Barton and further in view of U.S. Patent No. 6,961,954 to Maybury (hereinafter "Maybury"). Thus rejection is respectfully traversed.

As previously asserted, independent claims 1 and 13 are allowable over the combination of Cragun and Barton. Furthermore, it is respectfully asserted that Maybury does not cure the deficiencies of the combination of Cragun and Barton with respect to the encoder of the record control part outputting a compressed digital stream into the indexing engine, as recited in claims 1 and 13. Accordingly, it is respectfully submitted that claims 1 and 13 are allowable over the combination of Cragun, Barton and Maybury. Moreover, by virtue of their dependence on claims 1 and 13, it is respectfully submitted that claims 8-12 and 20-24 are also allowable over the combination of Cragun, Barton and Maybury.

CONCLUSION

In light of the above remarks, Applicants submit that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application, as amended, is requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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